

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TRANSFORMATION-POINT  
TECHNOLOGIES, LLC, *et al.*,

*Plaintiffs,*

vs.

W&Y DISTILLATION TECHNOLOGIES,  
LLC, *et al.*,

*Defendants.*

CIVIL ACTION NO. 5:23-cv-00988-JLS

**PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION AND  
PETITION FOR CONSTRUCTIVE TRUST AND ACCOUNTING**

Plaintiffs hereby move to enjoin the Defendants from illegally competing against Plaintiffs, Transformation-Point Technologies, LLC (“TPT”) and First Rainbow, Ltd. (“**First Rainbow**”) and petition this court to impose a constructive trust on the assets of Defendants John Weyrauch, Jr. (“**Weyrauch**”), Mark Yang (“**Yang**”), W&Y Distillation Technologies, LLC (“**W&Y Distillation**”), SSOT Technologies, Ltd. (“**SSOT**”), W&Y Engineering Ltd. (“**W&Y Engineering**”), Diffusion Technologies Ltd. (“**DTL**”), and Custom Separations Technologies, Inc. (“**CST**”).

1. This is a derivative action in which TPT and First Rainbow (the “**Plaintiff-Entities**”) are primarily suing two (2) of their members / managers / directors, Weyrauch and Yang (collectively, the “**Member Defendants**”) for illegally competing against the Plaintiff-Entities and diverting funds, assets, and business opportunities belonging to the Plaintiff-Entities for their own personal gain.

2. After multiple years of receiving millions of dollars working for the Plaintiff-Entities, Weyrauch conspired with Yang to surreptitiously disadvantage and dismantle the business operations of the Plaintiff-Entities and divert the assets, profits, opportunities, and

customers of the Plaintiff-Entities to entities owned and controlled by Weyrauch and/or Yang, including Defendants W&Y Distillation, SSOT, W&Y Engineering, DTL, and CST.

3. Plaintiffs, therefore, seek to enjoin Defendants from illegally competing against TPT and First Rainbow.

4. Moreover, while this dispute is litigated, to protect TPT and First Rainbow, a constructive trust should be imposed on all of the monies and assets that the Defendants have or will obtain and on all of the monies and assets of any other company owned and/or controlled by the Defendants.

5. Finally, Defendants must render a complete and accurate accounting from January 1, 2022 to the present.

**WHEREFORE**, Plaintiffs respectfully request this Honorable Court enjoin Defendants from competing against Plaintiffs TPT and First Rainbow, direct Defendants to provide an accounting, and impose a constructive trust on (i) all of the monies and assets that Defendants have or will obtain and on (ii) all of the monies and assets of any other company owned and/or controlled by the Defendants, and (iii) such other relief as this Court may deem just and proper.

CLARK HILL, PLC

/s/ Ashley L. Buck

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Date: March 21, 2023

*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing **PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION AND PETITION FOR CONSTRUCTIVE TRUST AND ACCOUTING** has been served upon counsel of record this 21<sup>st</sup> day of March, 2023, via the Court's CM/ECF e-filing notification system.

/s/ Ashley L. Buck

Ashley L. Buck